

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN SECTION OF TENNESSEE
WESTERN DIVISION

SCOTT TURNAGE , CORTEZ D. BROWN,)
DEONTAE TATE, JEREMY S. MELTON, ISSACCA) **Case No. 2:16-cv-2907-**
POWELL, KEITH BURGESS, TRAVIS BOYD,) **SHM/tmp**
TERRENCE DRAIN, and KIMBERLY ALLEN on)
behalf of themselves and all similarly situated persons,)
)
PLAINTIFFS,) **CLASS ACTION**
) **COMPLAINT FOR**
v.) **VIOLATIONS OF THE**
) **CIVIL RIGHTS ACT OF**
) **1871, 42 U.S.C. § 1983,**
) **TENNESSEE COMMON**
) **LAW, DECLARATORY, AND**
) **INJUNCTIVE RELIEF**
BILL OLDHAM, in his individual capacity as former)
Sheriff of Shelby County, Tennessee; FLOYD) **JURY TRIAL DEMANDED**
BONNER, JR., in his official capacity as Sheriff of) **PURSUANT TO FED. R.**
Shelby County, Tennessee; ROBERT MOORE, in his) **CIV. PRO. 38(a) & (b)**
individual capacity as former Jail Director of Shelby)
County, Tennessee; KIRK FIELDS, in his official)
capacity as Jail Director of Shelby County, Tennessee;)
CHARLENE McGHEE, in her individual capacity as)
former Assistant Chief of Jail Security of Shelby County,)
Tennessee; REGINALD HUBBARD, in his official)
capacity as Assistant Chief of Jail Security of Shelby)
County, Tennessee; DEBRA HAMMONS, in her)
individual capacity as former Assistant Chief of Jail)
Programs of Shelby County, Tennessee; TIFFANY)
WARD in her official capacity as Assistant Chief of Jail)
Programs of Shelby County, Tennessee; SHELBY)
COUNTY, TENNESSEE, a Tennessee municipality;)
TYLER TECHNOLOGIES, INC., a foreign corporation;)
GLOBAL TEL*LINK CORPORATION, a foreign)
corporation; SOFTWARE AG USA, INC., a foreign)
corporation; and SIERRA-CEDAR, INC., a foreign)
corporation, SIERRA SYSTEMS GROUP, INC., a)
foreign corporation.)
)
DEFENDANTS.)

**RESPONSE TO DEFENDANT GLOBACK TEL*LINK CORPORATION'S MOTION
TO DISMISS PLAINTIFFS' FIFTH AMENDED COMPLAINT FOR FAILURE TO
STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED**

TO THE HONORABLE DISTRICT COURT JUDGE:

On March 12, 2019, Defendant Global Tel*Link Corporation (“GTL”) filed its “Motion to Dismiss Plaintiffs’ Fifth Amended Complaint for Failure to State a Claim on Which Relief Can Be Granted.” (ECF No. 178). On May 1, 2019, Plaintiffs filed their “Sixth Amended Complaint” (ECF 198), thereby rendering GTL’s motion moot.

Therefore, Plaintiffs respectfully request that this Court enter an order denying GTL’s motion to dismiss (ECF No. 178) without prejudice.

Respectfully submitted,

/s/ Brice M. Timmons

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon all parties of record via the Court's ECF system on the 1st day of May, 2019.

/s/ Brice M. Timmons _____